

31A-9-101 Definitions.

(1) As used in this chapter:

(a) "Fraternal" or "fraternal benefit society" means a corporation organized or operating under this chapter that:

(i) has no capital stock;

(ii) exists solely for:

(A) the benefit of its members and their beneficiaries; and

(B) any lawful social, intellectual, educational, charitable, benevolent, moral, fraternal, patriotic, or religious purpose for the benefit of its members or the public, carried on through voluntary activity of its members in their local lodges or through institutional programs of the fraternal or its local lodges;

(iii) has a lodge system;

(iv) has a representative form of government; and

(v) provides insurance benefits authorized under this chapter.

(b) "Laws of a fraternal" include its articles of incorporation and bylaws, however designated.

(c) "Lodge system" means one in which:

(i) there is a supreme governing body;

(ii) subordinate to the supreme governing body are local lodges, however designated, into which natural persons are admitted as members in accordance with the laws of the fraternal;

(iii) the local lodges are required by the laws of the fraternal to hold regular meetings at least monthly; and

(iv) the local lodges regularly engage in programs involving member participation to implement the purposes of Subsection (1)(a)(ii).

(d) "Representative form of government" means the fraternal complies with Section 31A-9-403.

(2) In any provisions of law made applicable to fraternals by this chapter, the technical terms used in those provisions are applicable to fraternals despite the use of other parallel terms by fraternals.

(3) The definitions in Section 31A-1-301 and the definitions to the following terms in Section 16-6a-102 apply to fraternals:

(a) "articles of incorporation";

(b) "bylaws"; and

(c) "member."

Amended by Chapter 386, 2009 General Session